

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, WESTERN ZONE BENCH, PUNE**

Execution Application No. 5/2023

In

Appeal No. 16/2022

BETWEEN

Mr. Suvarn Rajaram Bandekar Applicant/

Versus

**Goa Coastal Zone Management
Authority & Others Respondents**

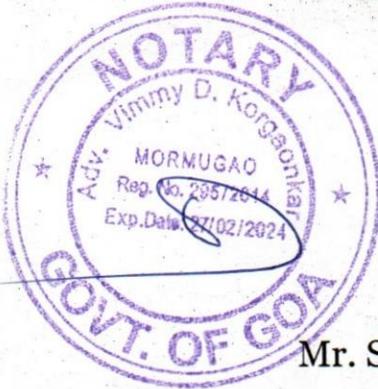
**SAY AFFIDAVIT OF THE
APPLICANT TO THE REPLY
AFFIDAVIT DATED 03.08.2023
FILED BY RESPONDENT NO. 7**

MAY IT PLEASE YOUR HONOUR:

I, Mr. Suvarn R. Bandekar, son of Late Shri Rajaram N.S. Bandekar, Age 70 years, R/o. Raj Tara, F.L. Gomes Road, Vasco Da-Gama, Goa, the Appellant, do hereby on solemn affirmation beg to state and submit as under:

1. I have read and understood the contents of the Reply Affidavit dated 03.08.2023 filed by Respondent No. 7 and I have been advised to file the present Say Affidavit to deal with averments contained therein which are incorrect apart from being inconsistent

S. N. D. Bandekar



and/or contrary to the records and I am filing the present Say Affidavit to deal with the same and clarify the matter.

2. I say that I deny all the contents of the Reply Affidavit which are false and contrary to the record and Execution Application and state that the contents of the Reply Affidavit filed by the Respondent No. 7 which are not specifically denied and/ or dealt with and/ or which may have escaped specific denial shall be taken as denied.
3. I say that with reference to the contents of the Reply Affidavit as far as paras 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 48 and 49, the same are not disputed in so far as they relate to the facts stated therein and the rest of the contents are denied as false.
4. I say that this Hon'ble Tribunal as well as the Respondent No. 1 has taken into consideration all the documents produced in the matter and have passed a



S. 112 - redacted

perfectly reasoned Order which calls for no interference whatsoever.

5. I say that it is categorically stated that the Respondent No. 7 is now trying to delay the matter further and the same ought not to be allowed. I say that it is impossible that the Respondent No. 7 was not aware of the proceedings which have been at large right from the year 2000 before the Respondent No. 1, the Hon'ble High Court of Bombay at Goa, this Hon'ble Tribunal and even the Hon'ble Supreme Court of India.
6. I say that the Affidavit in Reply and the documents annexed thereto cannot be considered or looked into by this Hon'ble Tribunal as the same has been considered by the Hon'ble Supreme Court of India as stated by the Respondent at paras 29, 46 and 47, which was pleased to dismiss the Civil Appeal bearing No. 4868/2023. Annexed hereto and marked as **Annexure A** is the Order dated 07.08.2023.
7. I say that the Respondents 5 to 12 have been recipients of benevolence from the Authorities till date despite



S. N. S. - d e l

more than a year having lapsed since this Hon'ble Tribunal upheld the Order passed by the Respondent No. 1 which was further upheld by the Hon'ble Supreme Court of India and on account of which the illegal structures continue to function and flourish with complete impunity which is truly unfortunate given the facts and concurrent findings by the Authority and the Hon'ble Courts which continues as can be seen from the correspondence dated 13.09.2023 bearing No. SDO/SAL/Demo/7092/2023/4215 sent to the Respondent No. 1 and has not been acted upon till date. Annexed hereto and marked as **Annexure B** is the correspondence dated 13.09.2023.

8. I say that the fact that even the Public Utility Services such as Electricity, etc. have not yet been disconnected or the said illegal structures sealed clearly shows that the Respondent No. 1 does not appear to be keen on upholding Orders communicated to it and consequently necessary proceedings under the National Green Tribunal Act, 2010, in terms of Section 26 and 28 ought to be expeditiously initiated and



5.12.23 order

taken to their logical conclusion more so in view of the fact that even the basic minimum requirement of filing a reply has not been fulfilled by the Respondent No. 1.

9. I say that in view of the aforesaid facts and circumstances this Hon'ble Tribunal be pleased to pass necessary Orders granting the Execution Application thus upholding Orders passed by this Hon'ble Tribunal and the Hon'ble Supreme Court of India.

Solemnly affirmed on this 17th day of October 2023 at Vasco-Da-Gama, Goa.

Date : 16/10/2023

Place:

S. N. S. S. S.
(Applicant)

I swear/solemnly affirmed before me
Sevan R. Bordekar
who is known to me / Identified

Vimmy D. Korgaonkar
Adv. VIMMY D. KORGAONKAR
NOTARY
1st. Floor, Laxmi Narayan Niwas
Balabaim, Vasco-da-Gama, Goa

Reg. No. 1693/2023



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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTIONCIVIL APPEAL NO. 4868/2023

MARIA ODRY FERNANDES

..... APPELLANT(S)

VERSUS

GOA COASTAL ZONE MANAGEMENT
AUTHORITY & ORS.

..... RESPONDENT(S)

O R D E R

We do not find any good ground and reason to interfere with the impugned judgment and hence, the appeal is dismissed.

Pending application(s), if any, shall stand disposed of.

.....J.
(SANJIV KHANNA)

.....J.
(S.V.N. BHATTI)

NEW DELHI;
AUGUST 07, 2023.

Signature Not Verified

Digitally signed by
SWETA BALI
Date: 2023.08.09
17:56:38 IST
Reason: —

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No. 4868/2023

MARIA ODRY FERNANDES

Appellant(s)

VERSUS

GOA COASTAL ZONE MANAGEMENT AUTHORITY & ORS.

Respondent(s)

(IA No. 148966/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND IA No. 148968/2023 - STAY APPLICATION)

Date : 07-08-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MR. JUSTICE S.V.N. BHATTIFor Appellant(s) Mr. Gopal Shankarnarayan, Sr. Adv.
Ms. Charu Sangwan, AOR
Mr. Shubham Dayma, Adv.
Mr. Vishal Singh, Adv.

For Respondent(s)

UPON hearing the counsel, the Court made the following
O R D E R

The appeal is dismissed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)(R.S. NARAYANAN)
ASSISTANT REGISTRAR

(Signed order is placed on the file)



OFFICE OF THE DEPUTY COLLECTOR & SDO, SALCETE, MARGAO - GOA

Room No.105, 1st Floor,
Matanhy Saldhana Administrative Complex,
Near KTC Bus Stand, Margao - Goa.

Phone: 0832-2794145,

Fax:0832-2794402

Email:sdm-salcete.goa@nic.in

No.SDO/SAL/Demo/7092/2023/ 4215

Dated: 13/09/2023

To,
The Member Secretary,
Goa Coastal Zone Management Authority,
C/o Department of Environment and Climate change
(Govt. of Goa), 4th floor, Dempo Towers,
Patto, Panaji Goa.

Sub: Execution of directions to demolish structures in survey No. 16/7, Sernabatim, Salcete Goa.

Ref: GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 & GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022

Madam,

Kindly refer to your order No.GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 and to your letter bearing No. GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022 wherein it was requested to implement/execute the demolition order dated 25/03/2023, in this regard it is submitted as under:

- 1) Demolition order No.SDO/SAL/DEMO/2023/06 dated 06/02/2023 was issued by this office fixing the demolition on 15/02/2023. (Copy marked as Exhibit "A"). However, demolition could not be carried out as the Executive Engineer, WD-VI(Roads), PWD, Fatorda did not reported at the site with their team and requested to take action on their letter dated PWD/WD-VI/ASW/F-140/584/2022-23 dated 03/01/2023 and the same has been reported to good office vide letter dated 16/02/2023 . (Copy marked as Exhibit "B").
- 2) This office vide order No. SDO/SAL/DEMO/2023/19 dated 29/03/2023 had again fixed demolition for the 2nd time on 17/04/2023 (Copy marked as Exhibit "C"). However, the Executive Engineer, WD-VI(Roads), PWD, Fatorda vide letter No. PWD/WD-VI/SDIV/F-14/2023-24/09 dated 10/04/2023 informed that an estimate to provide demolition squad has been processed to the Government for sanction and requested to defer all major demolitions till the contractor to supply demolition squad is finalized after tendering procedure. (Copy marked as Exhibit "D").
- 3) Further, Mamlatdar of Salcete vide letter No.MAM/SAL/DEMOLITION/2023/1661 dated 17/04/2023 reported that the demolition of the said structures was not carried out as it was informed by the office of the Executive Engineer, WD-VI(Roads), PWD, Fatorda that they do not possess the requisite machinery to carry out the demolition order of the said structures.

Cont...2/-

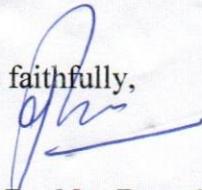
Hence, the above referred demolition order could not be executed. **(Copy marked as Exhibit "E")**. The report of the same has been submitted to your good office vide letter dated 18/04/2023. **(Copy marked as Exhibit "F")**.

This office vide order No. SDO/SAL/DEMO/2023/38 dated 25/04/2023 had again fixed demolition for the 3rd time on 04/05/2023. **(Copy marked as Exhibit "G")**. However, the Mamlatdar of Salcete vide letter No. MAM/SAL/DEMOLITION/2023/1914 dated 04/05/2023 reported that the demolition of the said structures was not carried out as it was informed by the office of the Executive Engineer, WD-VI(Roads), PWD, Fatorda that they do not possess the requisite machinery to carry out the demolition of the said structures. Hence, the above referred demolition order could not be executed. **(Copy marked as Exhibit "H")**. The report of the same has been submitted to your good office vide letter dated 05/05/2023. **(Copy marked as Exhibit "I")**.

- 4) This office vide order No. SDO/SAL/DEMO/2023/116 dated 29/08/2023 had again fixed demolition for the 4th time on 12/09/2023. **(Copy marked as Exhibit "J")**. However, the Executive Engineer, WD-VI(Roads), PWD, Fatorda, Margao vide letter No. PWD/WDVI/F.69/2023-24/886 dated 06/09/2023 inform that their office was providing demolition squad for minor structures consisting of JCB, Trucks and labourers. He further informed that multi storied structure are not possible to be demolished by JCB and requires specialized equipments like poclains and cutter wherein their office does not have the demolition squad. However, estimate amounting to Rs. 42,45,205/- is submitted to the Government for Administrative Approval. In case of urgency it is requested to undersigned to direct the GCZMA to deposit the amount of Rs.68,300/- per day with the Executive Engineer, WD-VI(Roads), PWD, Fatorda, Margao. Further, informed that demolition squad shall consist of providing 2 JCB's, 2 Tipper Trucks and 20 labourers only. Any other machineries/tools required for the demolition shall have to be arranged separately by the GCZMA. The demolition squad hired by their office is from private agencies and therefore the period of hiring has to be specified. The Executive Engineer, WD-VI(Roads), PWD, Fatorda, Margao requested to GCZMA to reassess the requirement of demolition squad and also specify the required period considering the methodology of demolition proposed to be undertaken by GCZMA and requested to defer further demolitions till the tendering process is over and work is awarded to the contractor. **(Copy marked as Exhibit "K")**.

In view of above, you are requested to deposit the funds at the disposal of the Executive Engineer, WD-VI, PWD, Fatorda, Margao Goa.

Yours faithfully,



(Uday R. Prabhu Dessai)

Deputy Collector & In-charge Demolition
Squad, Sub Division, Margao – Goa.

Encl: A^s above.

Copy to : 1. The Collector, South Goa District, Margao Goa.

2. Advocate Shailesh S. Henriques, No.133, 1st floor, Anand Chambers, F.L.Gomes Road, Vasco-da-Gama with reference to his letter dated 11/09/2023 addressed to the Member Secretary, GCZMA, Panaji and copy endorsed to this office.

O R D E R

WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor , Dempo Towers, Patto, Panaji Goa vide order No. GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 issued direction to **Mr. Armando Cardozo (since deceased through LR's) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai** to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa and to restore the land to its original condition, within 30 days.

AND WHEREAS, the copy of said order is marked to the Dy. Collector & SDO, Salcete, to enforce the Order and to verify if the structures are removed /demolished and in the event it is not removed as per directives, than the Dy. Collector shall remove the said structures after the stipulated time of two weeks .

AND WHEREAS, this office had issued Memorandum dated 01/04/2022 to the Mamlatdar of Salcete, directing to ensure/verify that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai has demolished all the existing structures located in Sy. No. 16/7 of village Sernabatim Salcete Goa and have restored the land to its original condition.

AND WHEREAS, the Mamlatdar of Salcete vide letter No.MAM/SAL/AK/CRZ/Demo/2022/2145 dated 28/06/2022 has informed that inquiry was conducted through the Talathi of Colva village and it is revealed that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai have not demolished all the existing structures located in the survey no. 16/7 of village Sernabatim and the land is not restored to its original condition.

AND WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor , Dempo Towers, Patto, Panaji Goa, vide letter No. GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022 has informed that demolition order dated 25/03/2022 which was passed by their office was challenged in an Appeal by the Respondent violators in Appeal bearing No. 16/2022 before Hon'ble National Green Tribunal, Pune vide judgment/order dated 21/10/2022 thereby dismissing the said appeal. Further informed that the Respondent violators challenged the said judgment/order dated 21/10/2022 passed by Hon'ble National Green Tribunal, Pune in Appeal bearing no. 16/2022 before the Hon'ble Supreme Court in Civil Appeal no. 8563/2022. The Hon'ble Supreme Court of India vide order dated 25/11/2022 was pleased to dismiss the said Civil Appeal no. 8563/2022 and requested to implement/execute the demolition order dated 25/03/2022 issued by their office.

In view of above I, Uday R. Prabhu Dessai, Sub Divisional Magistrate /In-charge of Demolition Squad, South Goa hereby grant the Demolition squad on **15/02/2023 at 9.30 a.m.** onwards and order the following Authorities/Agencies as under:

The **Dy. Superintendent of Police, S.D.P.O. Margao, Goa,** to make necessary arrangements to depute 10 Police Constables and 5 Female Constables alongwith one Officer of P.I. rank, 2 PSI since there is likelihood of law and order problem. They may be directed to report at the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim at 9.30 am** on the above mentioned date, in order to proceed to the site.

The Mamlatdar of Salcete is directed to remain present at site on the above mentioned date & time, to co-ordinate with all the authorities/agencies till the completion of the demolition. The Mamlatdar of Salcete is directed to draw the minutes of demolition with the names & signature of the authorities present and to submit the compliance report immediately on completion of demolition.

The **Joint Mamlatdar-I of Salcete** to remain present and to perform the duties of the Executive Magistrate and to take care of law and order problem on the above mentioned date and time.

The **Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa** shall be responsible for identifying the structures to be demolished/removed. He shall further ensure that demolition of any structures which is stayed by order of any competent court shall not be carried out. He shall depute his representative to identify the structures to be demolished on the day of demolition. The deputed representative shall be directed to report to the Executive Magistrate/Mamlatdar of Salcete at **9.30am** on the above mentioned date to proceed to the demolition site.

The **Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao** to provide 20 Labourers, 2 JCB, 2 trucks, tools and required machinery on the above scheduled date and time for the purpose of demolition and they shall be directed to report to the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 15/02/2023 at 9.30am** in order to proceed to the site for demolition.

The **Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao** shall identify the debris dump site along the highway road and transport debris of the demolition to the identified dumping sites and restore the land to its original state and report compliance.

The **Assistant Engineer, Sub Div- I, W D XVI, Benaulim Office, Electricity Department, Aquem Margao** to provide the services of one electrician along with one lineman on the above date and time for disconnection of electricity supply and direct him to report to the **Office of Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 15/02/2023 at 9.30a.m.** in order to proceed to the site for demolition.

The **Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa** to provide the services of 2 Plumbers on the above date and time for disconnection of water supply and direct them to report to the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 15/02/2023 at 9.30a.m.** in order to proceed to the site for demolition.

The **Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim** is directed to remain present to assist the demolition Squad till the demolition process is over on the above date and time.

If demolition is not completed within a day, the demolition shall continued on next day, the authorities/agencies should co-ordinate among themselves and complete the demolition.

Given under my hand and Seal of this Office on this **6th day of February, 2023.**



(**Uday R. Prabhu Dessai**)
Deputy Collector & In-charge Demolition
Squad, Sub Division, Margao - Goa.

To,

1. The Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa
2. The Dy. Superintendent of Police, S.D.P.O. Margao, Goa.
3. The Mamlatdar of Salcete, Margao, Goa.
4. The Joint Mamlatdar-I of Salcete.
5. The Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao, Goa.
6. The Assistant Engineer, Sub Div- I, W D XVI, Benaulim Office, Electricity Department, Aquem Margao
7. The Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa.
8. The Police Inspector, Colva Police Station.
9. The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim, Salcete Goa.

Copy Submitted to favor of information to:

1. O.S.D to CM, Secretariat Porvorim Goa.
2. The Collector, South Goa District, Margao.

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No.PWD/WDVI/ASWT-140/SE4/2022-23
Government of Goa,
Office of the Executive Engineer,
Public Works Department,
Fatorda-Margao, Goa.

Dated:- 08/01/2023.

To,
Dy. Collector & SDO,
Matanhy Saldhana Administrative Complex,
Near KTC Bus Stand, Margao, Goa.

Sub :- Regarding request to depute official for joint site inspection.

Ref :- No.SDO/SAL/CRZ/Demo/14534/2022/8160-I dt. 22/12/2022

Sir,

With reference to the above, the inspection was attended by representative of AE-IV attached to this Division along with representative of GCZMA and Mamlatdar on 29/12/2022 from 11.00 am onwards. The structures were identified by representative of GCZMA.

Further AE-IV reported that the structure to be demolished were G+1, G+2 and other structures. Such demolition require specialised demolition agency and methodology.

Therefore it is requested to direct the GCZMA to appoint a consultant to ascertain the method & machinery required for demolition based on which estimate can be framed and tendered only after deposition of funds required for execution of work.

Further the date of demolition may be decided only after the work is tendered and contractor is in place.

Yours faithfully,

EXECUTIVE ENGINEER- VI

Copy to:-

The Asst. Engineer- IV, WD-VI, PWD, Fatorda ...for information and needful.

MOST URGENT**NGT & SUPREME COURT MATTER****OFFICE OF THE DEPUTY COLLECTOR & SDO, SALCETE, MARGAO - GOA**

Room No.105, 1st Floor,
Matanhy Saldhana Administrative Complex,
Near KTC Bus Stand, Margao - Goa.

Phone: 0832-2794145,

Email:sdm-salcete.goa@nic.in

Fax:0832-2794402

No.SDO/SAL/CRZ/Demo/14534/2022/1062-I**Dated: 16/02/2023**

To,
The Member Secretary,
Goa Coastal Zone Management Authority,
C/o Department of Environment and Climate change
(Govt. of Goa), 4th floor, Dempo Towers,
Patto, Panaji Goa.

Sub: Execution of order passed by GCZMA**Ref:** 1) GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 &
GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022

2) GCZMA/SWMP/02/06/1440 dated 11/10/2022

3) GCZMA/SWMP/02/06/1458 dated 12/10/2022

4) GCZMA/SWMP/02/06/1459 dated 12/10/2022

5) GCZMA/SWMP/02/06/1509 dated 18/10/2022

Madam,

With reference to above referred orders, this office vide letters No.SDO/SAL/CRZ/Demo /14534/2022/343-I dated 16/01/2023 & No. SDO/SAL/CRZ/Demo /14534/2022/930 -I dated 09/02/2023 has requested you to appoint consultant to ascertain the methodology and to prepare the estimate of demolition and for disposal of debris created out of demolition and also requested to your good office to place the funds at the disposal of the Executive Engineer, WD-VI (Roads) PWD, Fatorda, Margao Goa as requested by PWD(Roads). However, no action has been taken by your good office. (copy enclosed as per "Annexure A & B")

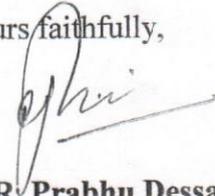
In order to execute your order referred at sr.no.1, this office had issued demolition order bearing No. SDO/SAL/DEMO/2023/06 dated 06/02/2023, which was fixed on 15/02/2023 in order to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa carried out by Mr. Armando Cardozo (since deceased through LRr's) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai. (copy enclosed per Annexure C")

However, the Executive Engineer, WD-VI (Roads), PWD, Fatorda, Margao Goa did not reported at the site with his team and requested to take action on their letter No.PWD/WDVI/ASW/F-140/584/2022-23 dated 03/01/2023 to make arrangement of funds. (copy enclosed as per "Annexure D")

In view of above, demolition could not be carried out on 15/02/2023.

Therefore, you are once again kindly requested to place the funds at the disposal of the Executive Engineer, WD-VI (Roads), PWD, Fatorda, Margao Goa in order to enable this office to execute the above referred orders or alternatively demolition work may be executed at your level. This office shall provide you the necessary police protection and magisterial arrangement.

Yours faithfully,



(Uday R. Prabhu Dessai)
Dy. Collector & SDO
Salcete, Margao Goa

olc

Encl: As above.

Copy to : 1) The Collector, South Goa District, Margao Goa.
2) The Executive Engineer, Works Division VI(Roads), PWD, Fatorda.

CONFIDENTIAL

No. SDO/SAL/DEMO/2023/19
Office of the Deputy Collector &
In-charge Demolition Squad,
Sub Division, Margao – Goa.

O R D E R

WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor , Dempo Towers, Patto, Panaji Goa vide order No. GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 issued direction to Mr. Armando Cardozo (since deceased through LRr's) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa and to restore the land to its original condition, within 30 days.

AND WHEREAS, the copy of said order is marked to the Dy. Collector & SDO, Salcete, to enforce the Order and to verify if the structures are removed /demolished and in the event it is not removed as per directives, than the Dy. Collector shall remove the said structures after the stipulated time of two weeks .

AND WHEREAS, this office had issued Memorandum dated 01/04/2022 to the Mamlatdar of Salcete, directing to ensure/verify that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai has demolished all the existing structures located in Sy. No. 16/7 of village Sernabatim Salcete Goa and have restored the land to its original condition.

AND WHEREAS, the Mamlatdar of Salcete vide letter No.MAM/SAL/AK/CRZ/ Demo/2022/2145 dated 28/06/2022 has informed that inquiry was conducted through the Talathi of Colva village and it is revealed that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai have not demolished all the existing structures located in the survey no. 16/7 of village Sernabatim and the land is not restored to its original condition.

AND WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor , Dempo Towers, Patto, Panaji Goa, vide letter No. GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022 has informed that demolition order dated 25/03/2022 which was passed by their office was challenged in an Appeal by the Respondent violators in Appeal bearing No. 16/2022 before Hon'ble National Green Tribunal, Pune vide judgment/order dated 21/10/2022 thereby dismissing the said appeal. Further informed that the Respondent violators challenged the said judgment/order dated 21/10/2022 passed by Hon'ble National Green Tribunal, Pune in Appeal bearing no. 16/2022 before the Hon'ble Supreme Court in Civil Appeal no. 8563/2022. The Hon'ble Supreme Court of India vide order dated 25/11/2022 was pleased to dismiss the said Civil Appeal no. 8563/2022 and requested to implement/execute the demolition order dated 25/03/2022 issued by their office.

AND WHEREAS, the demolition Squad was granted by this office vide Order No: SDO/SAL/DEMO/2023/06 dated 06/02/2023 which was fixed on 15/02/2023.

AND WHEREAS, vide letter No. MAM/SAL/DEMOLITION/2023/839 dated 15/02/2023, the Mamlatdar of Salcete has reported that the demolition of the said structures was not carried out as, only the personnel from Electricity department and representative of GCZMA were present for demolition and Police personnel PWD WD-VI(Roads) failed to report to carry out the demolition of said structures.

AND WHEREAS, the complainant has filed Execution Application No.05/2023 filed in the Hon'ble National Green Tribunal, Western Zone Bench, Pune and Hon'ble National Green Tribunal, Pune has issued Notice to this office and matter is posted for hearing on 08/05/2023.

AND WHEREAS, the joint inspection was conducted by the Executive Engineer, WD-VI, PWD., Fatorda, Margao, Mamlatdar of Salcete & GCZMA, Panaji in order to plan the demolition and to assess the machinery and manpower required to demolish the above structure. However, the PWD, vide letter dated 03/01/2023 informed that structures to be demolished were G+1, G+2 and other structures.

In view of above I, Uday R. Prabhu Dessai, Sub Divisional Magistrate /In-charge of Demolition Squad, South Goa hereby once again grant the Demolition squad on 17/04/2023 at 9.30 a.m. onwards and order the following Authorities/Agencies as under:

The **Dy. Superintendent of Police, S.D.P.O. Margao, Goa**, to make necessary arrangements to depute 10 Police Constables and 5 Female Constables alongwith one Officer of P.I. rank, 2 PSI since there is likelihood of law and order problem. They may be directed to report at the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim** at 9.30 am on the above mentioned date, in order to proceed to the site.

The **Mamlatdar of Salcete** is directed to remain present at site on the above mentioned date & time, to co-ordinate with all the authorities/agencies till the completion of the demolition. The Mamlatdar of Salcete is directed to draw the minutes of demolition with the names & signature of the authorities present and to submit the compliance report immediately on completion of demolition.

The **Joint Mamlatdar-I of Salcete** to remain present and to perform the duties of the Executive Magistrate and to take care of law and order problem on the above mentioned date and time.

The **Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa** shall be responsible for identifying the structures to be demolished/removed. She shall further ensure that demolition of any structures which is stayed by order of any competent court shall not be carried out. She shall depute his representative to identify the structures to be demolished on the day of demolition. The deputed representative shall be directed to report to the Executive Magistrate/Mamlatdar of Salcete at 9.30am on the above mentioned date to proceed to the demolition site.

The **Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao** to provide 20 Labourers, 2 JCB, 2 trucks, poclain, tools and required machinery on the above scheduled date and time for the purpose of demolition and they shall be directed to report to the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 17/04/2023 at 9.30 am** in order to proceed to the site for demolition.

The **Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao** shall identify the debris dump site along the highway road and transport debris of the demolition to the identified dumping sites and restore the land to its original state and report compliance.

The **Assistant Engineer, Sub Div- I, W D XVI, Benaullim Office, Electricity Department, Aquem Margao** to provide the services of two electricians along with one linemen on the above date and time for disconnection of electricity supply and direct him to report to the **Office of Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 17/04/2023 at 9.30a.m.** in order to proceed to the site for demolition.

Cont....3/-

The Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa to provide the services of two Plumbers on the above date and time for disconnection of water supply and direct them to report to the Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 17/04/2023 at 9.30a.m. in order to proceed to the site for demolition.

The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim is directed to remain present to assist the demolition Squad till the demolition process is over on the above date and time.

If demolition is not completed within a day, the demolition shall continued on next day, the authorities/agencies should co-ordinate among themselves and complete the demolition.

Given under my hand and Seal of this Office on this 29th day of March, 2023.



(Uday R. Prabhu Dessai)

Deputy Collector & In-charge Demolition Squad, Sub Division, Margao - Goa.

To,

1. The Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa
2. The Dy. Superintendent of Police, S.D.P.O. Margao, Goa.
3. The Mamlatdar of Salcete, Margao, Goa.
4. The Joint Mamlatdar-I of Salcete.
5. The Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao, Goa.
6. The Assistant Engineer, Sub Div- I, W D XVI, Benaullim Office, Electricity Department, Aquem Margao
7. The Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa.
8. The Police Inspector, Colva Police Station.
9. The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim, Salcete Goa.

Copy Submitted to favor of information to:

1. O.S.D to CM, Secretariat Porvorim Goa.
2. The Collector, South Goa District, Margao.

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OFFICE OF THE ASSISTANT ENGINEER,
SUB - DIVISION-IV, WORK DIVISION-VI (ROADS),
PUBLIC WORKS DEPARTMENT,
FATORDA, MARGAO - GOA.

No.PWD/WDVI/SDIV/F-14/2023-24/09

Date :- 10/04/2023.

✓ To,
The Deputy Collector (SDO),
Demolition Squad Incharge,
Mathany Saldhana Complex,
Margao-Goa.

OFFICE OF THE DY. COLLECTOR SDO/SDM-1, Salcaia, Margao-Goa Inward No. 3620/M Date 10/04/2023

10/04/2023

Rupa

Sub: - Demolition Order.

Ref No: - 1) Order No:- SDO/SAL/DEMO/2023/19 dt 29/03/2023.

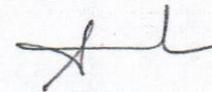
2) Letter No:- PWD/WDVI/ADM/F.27/2022-23/2107 dt
28/03/2023.

Sir,

Please refer to letter at reference No. 2 issued by the Executive Engineer WD VI PWD wherein it is mentioned that an estimate to provide demolition squad has been processed to the Government for sanction and to defer all major demolitions.

You are therefore requested to defer the demolition of the above mentioned structure till the Contractor to supply demolition squad is finalized after tendering procedure.

Yours Faithfully



Assistant Engineer-IV

Copy to:- 1. EE-VI, PWD, Fatorda - Margao for information.

MOST URGENT

**OFFICE OF THE MAMLATDAR & EXECUTIVE MAGISTRATE, SALCETE,
MARGAO-GOA**

Room No. 114, 1st Floor, Matanhy Saldanha Administrative Complex, Margao-Goa.

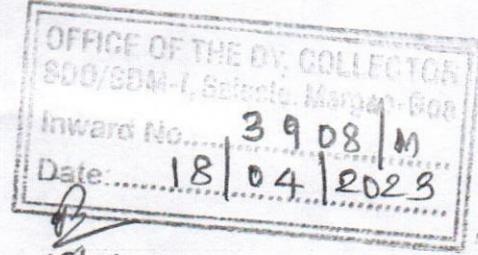
Phone No:0832-2794114

Email: mam-salcete.goa@nic.in

No. MAM/SAL/DEMOLITION/2023//1661

Dated: 17/04/2023

To
✓ The Dy. Collector &
Incharge of Demolition Squad,
Sub-Division, Margao-Goa



Ref- Order No. SDO/SAL/DEMO/2023/19, dated 29/03/2023.

Sir,

With respect to the above referred Demolition Order pertaining to the demolition of all structures located in Sy. No. 16/7 of village Sernabatim, it is to submit that the demolition of the said structures was not carried out as, it was informed by the office of the Executive Engineer, W.D-VI (roads), PWD, Fatorda that they do not possess the requisite machinery to carry out the demolition of the said structures. Hence, the above referred demolition order could not be executed.

This is submitted for information and necessary action.

Yours Faithfully,


(Laxmikant R. Desai)
Mamlatdar of Salcete
Margao-Goa



OFFICE OF THE DEPUTY COLLECTOR & SDO, SALCETE, MARGAO - GOA

Room No.105, 1st Floor,
Matanhy Saldhana Administrative Complex,
Near KTC Bus Stand, Margao - Goa.

Phone: 0832-2794145,

Fax: 0832-2794402

Email: sdm-salcete.goa@nic.in

No.SDO/SAL/CRZ/Demo/2023 (2076-I

Dated: 18/04/2023

To,
The Member Secretary,
Goa Coastal Zone Management Authority,
C/o Department of Environment and Climate change
(Govt. of Goa), 4th floor, Dempo Towers,
Patto, Panaji Goa.

Sub: Execution of directions to demolish structures in survey No. 16/7,
Sernabatm, Salcete

Ref: 1) Demolition order bearing No.GCZMA/SAL/SRNA/12-
13/01/2349 dated 25/03/2022
2) Letter No. GCZMA/SAL/SERNA/12-12/01/2027 dated 06/12/0022
3) Demolition order No. SDO/SAL/DEMO/2023/06 dated 06/2/2023

Madam,

With reference to the above cited subject, it is to inform you that your good office vide letter No. GCZMA/SAL/SERNA/12-12/01/2027 dated 06/12/0022 (copy enclosed) requested this office to execute demolition order No.GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 .

Accordingly, this office had issued demolition order bearing No. SDO/SAL/ DEMO/2023/19 dated 29/03/2023, which was fixed on 17/04/2023 in order to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa carried out by Mr. Armando Cardozo (since deceased through LRs) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai.

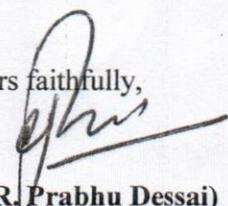
However, the Executive Engineer, WD-VI(Roads), PWD, Fatorda, Margao Goa vide letter No.PWD/WDVI/SDIV/F-14/2023-24/09 dated 10/04/2023 informed that an estimate to provide demolition squad has been processed to the Government for sanction and requested to defer all major demolitions till the contractor to supply demolition squad is finalized after tendering procedure. (Copy enclosed)

Further, the Mamlatdar of Salcete vide letter No. MAM/SAL/DEMOLITION/2023/1661 dated 17/04/2023 reported that the demolition of the said structures was not carried out as it was informed by the office of the Executive Engineer, WD-VI(Roads), PWD, Fatorda that they do not process the requisite machinery to carry out the demolition of the said structures. Hence, the above referred demolition order could not be executed. (copy enclosed)

This is for kind information.

ok

Yours faithfully,


(Uday R. Prabhu Dessai)
Dy. Collector & SDO
Salcete, Margao Goa.

Encl: as above

Copy: 1. The Collector, South Goa District, Margao Goa.
2. Mr. Suvarn R. Bandekar, Suvarn Bandekar Building, P.O.Box.11, Vasco Da Gama, Goa.

MOST URGENT
SUPREME COURT/NGT MATTER**CONFIDENTIAL**No. SDO/SAL/DEMO/2023/38
Office of the Deputy Collector &
In-charge Demolition Squad,
Sub Division, Margao – Goa.Ref: 1) Order No. SDO/SAL/DEMO/2023/06 dated 06/02/2023
2) Order No. SDO/SAL/DEMO/2023/19 dated 29/03/2023**O R D E R**

WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa vide order No. GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 issued direction to **Mr. Armando Cardozo (since deceased through LRR's) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai** to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa and to restore the land to its original condition, within 30 days.

AND WHEREAS, the copy of said order is marked to the Dy. Collector & SDO, Salcete, to enforce the Order and to verify if the structures are removed /demolished and in the event it is not removed as per directives, than the Dy. Collector shall remove the said structures after the stipulated time of two weeks .

AND WHEREAS, this office had issued Memorandum dated 01/04/2022 to the Mamlatdar of Salcete, directing to ensure/verify that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai has demolished all the existing structures located in Sy. No. 16/7 of village Sernabatim Salcete Goa and have restored the land to its original condition.

AND WHEREAS, the Mamlatdar of Salcete vide letter No.MAM/SAL/AK/CRZ/ Demo/2022/2145 dated 28/06/2022 has informed that inquiry was conducted through the Talathi of Colva village and it is revealed that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai have not demolished all the existing structures located in the survey no. 16/7 of village Sernabatim and the land is not restored to its original condition.

AND WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa, vide letter No. GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022 has informed that demolition order dated 25/03/2022 which was passed by their office was challenged in an Appeal by the Respondent violators in Appeal bearing No. 16/2022 before Hon'ble National Green Tribunal, Pune vide judgment/order dated 21/10/2022 thereby dismissing the said appeal. Further informed that the Respondent violators challenged the said judgment/order dated 21/10/2022 passed by Hon'ble National Green Tribunal, Pune in Appeal bearing no. 16/2022 before the Hon'ble Supreme Court in Civil Appeal no. 8563/2022. The Hon'ble Supreme Court of India vide order dated 25/11/2022 was pleased to dismiss the said Civil Appeal no. 8563/2022 and requested to implement/execute the demolition order dated 25/03/2022 issued by their office.

AND WHEREAS, the demolition Squad was granted by this office vide Order No: SDO/SAL/DEMO/2023/06 dated 06/02/2023 which was fixed on 15/02/2023.

AND WHEREAS, vide letter No. MAM/SAL/DEMOLITION/2023/839 dated 15/02/2023, the Mamlatdar of Salcete has reported that the demolition of the said structures was not carried out as, only the personnel from Electricity department and representative of GCZMA were present for demolition and Police personnel PWD WD-VI(Roads) failed to report to carry out the demolition of said structures.

AND WHEREAS, the complainant has filed Execution Application No.05/2023 filed in the Hon'ble National Green Tribunal, Western Zone Bench, Pune and Hon'ble National Green Tribunal, Pune has issued Notice to this office and matter is posted for hearing on 08/05/2023.

AND WHEREAS, the joint inspection was conducted by the Executive Engineer, WD-VI, PWD., Fatorda, Margao, Mamlatdar of Salcete & GCZMA, Panaji in order to plan the demolition and to assess the machinery and manpower required to demolish the above structure. However, the PWD, vide letter dated 03/01/2023 informed that structures to be demolished were G+1, G+2 and other structures.

AND WHEREAS, the demolition Squad was granted by this office vide Order No.SDO/SAL/DEMO/2023/19 dated 29/03/2023 which was fixed on 17/4/2023.

AND WHEREAS, PWD did not reported at the site. Therefore, demolition could not be carried out.

In view of above I, Uday R. Prabhu Dessai, Sub Divisional Magistrate /In-charge of Demolition Squad, South Goa hereby once again grant the Demolition squad on **04/05/2023** at **9.30 a.m.** onwards and order the following Authorities/Agencies as under:

The **Dy. Superintendent of Police, S.D.P.O. Margao, Goa**, to make necessary arrangements to depute 10 Police Constables and 5 Female Constables alongwith one Officer of P.I. rank, 2 PSI since there is likelihood of law and order problem. They may be directed to report at the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim** at **9.30 am** on the above mentioned date, in order to proceed to the site.

The **Mamlatdar of Salcete** is directed to remain present at site on the above mentioned date & time, to co-ordinate with all the authorities/agencies till the completion of the demolition. The Mamlatdar of Salcete is directed to draw the minutes of demolition with the names & signature of the authorities present and to submit the compliance report immediately on completion of demolition.

The **Joint Mamlatdar-I of Salcete** to remain present and to perform the duties of the Executive Magistrate and to take care of law and order problem on the above mentioned date and time.

The **Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa** shall be responsible for identifying the structures to be demolished/removed. She shall further ensure that demolition of any structures which is stayed by order of any competent court shall not be carried out. She shall depute his representative to identify the structures to be demolished on the day of demolition. The deputed representative shall be directed to report to the Executive Magistrate/Mamlatdar of Salcete at **9.30am** on the above mentioned date to proceed to the demolition site.

The **Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao** to provide 20 Labourers, 2 JCB, 2 trucks, poclain, tools and required machinery on the above scheduled date and time for the purpose of demolition and they shall be directed to report to the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim** on **04/05/2023** at **9.30 am** in order to proceed to the site for demolition.

The **Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao** shall identify the debris dump site along the highway road and transport debris of the demolition to the identified dumping sites and restore the land to its original state and report compliance.

Cont....3/-

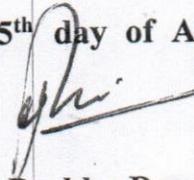
The Assistant Engineer, Sub Div- I, W D XVI, Benaolim Office, Electricity Department, Aquem Margao to provide the services of two electricians along with one linemen on the above date and time for disconnection of electricity supply and direct him to report to the Office of Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 04/05/2023 at 9.30a.m.inorder to proceed to the site for demolition.

The Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa to provide the services of two Plumbers on the above date and time for disconnection of water supply and direct them to report to the Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 04/05/2023 at 9.30a.m. in order to proceed to the site for demolition.

The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim is directed to remain present to assist the demolition Squad till the demolition process is over on the above date and time.

If demolition is not completed within a day , the demolition shall continued on next day, the authorities/agencies should co-ordinate among themselves and complete the demolition.

Given under my hand and Seal of this Office on this 25th day of April, 2023.



(Uday R. Prabhu Dessai)
Deputy Collector & In-charge Demolition
Squad, Sub Division, Margao – Goa.

To,

1. The Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor , Dempo Towers, Patto, Panaji Goa
2. The Dy. Superintendent of Police, S.D.P.O. Margao, Goa.
3. The Mamlatdar of Salcete, Margao, Goa.
4. The Joint Mamlatdar- I of Salcete.
5. The Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao, Goa.
6. The Assistant Engineer, Sub Div- I, W D XVI, Benaolim Office, Electricity Department, Aquem Margao
7. The Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa.
8. The Police Inspector, Colva Police Station.
9. The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim, Salcete Goa.

Copy Submitted to favor of information to:

1. O.S.D to CM, Secretariat Porvorim Goa.
2. The Collector, South Goa District, Margao.

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5/5/23

MOST URGENT

191



**OFFICE OF THE MAMLATDAR & EXECUTIVE MAGISTRATE, SALCETE,
MARGAO-GOA**

Room No. 114, 1st Floor, Matanhy Saldanha Administrative Complex, Margao-Goa.

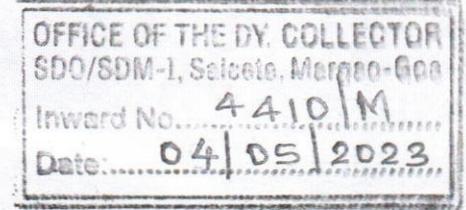
Phone No:0832-2794114

Email: mam-salcete.goa@nic.in

No. MAM/SAL/DEMOLITION/2023/1914

Dated: 04/05/2023

To
The Dy. Collector &
Incharge of Demolition Squad,
Sub-Division, Margao-Goa



Rupa

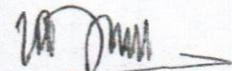
Ref- Order No. SDO/SAL/DEMO/2023/38, dated 25-04-2023

Sir,

With respect to the above referred Demolition Order pertaining to the demolition of all structures located in Sy. No. 16/7 of village Sernabatim, it is to submit that the demolition of the said structures was not carried out as, it was informed by the office of the Executive Engineer, W.D-VI (roads), PWD, Fatorda that they do not possess the requisite machinery to carry out the demolition of the said structures. Hence, the above referred demolition order could not executed.

This is submitted for information and necessary action.

Yours Faithfully,


(Laxmikant R. Desai)
Mamlatdar of Salcete
Margao-Goa

Copy to :- The Collector/ District Magistrate, South Goa District, Margao, Goa for information.



OFFICE OF THE DEPUTY COLLECTOR & SDO, SALCETE, MARGAO - GOA

Room No.105, 1st Floor,
Matanhy Saldhana Administrative Complex,
Near KTC Bus Stand, Margao - Goa.

Phone: 0832-2794145,

Fax:0832-2794402

Email:sdm-salcete.goa@nic.in

No.SDO/SAL/CRZ/Demo/2023/2408-I

Dated: 05/05/2023

To,
The Member Secretary,
Goa Coastal Zone Management Authority,
C/o Department of Environment and Climate change
(Govt. of Goa), 4th floor, Dempo Towers,
Patto, Panaji Goa.

Sub: Execution of directions to demolish structures in survey No. 16/7,
Sernabatm, Salcete
Ref: 1) Demolition order bearing No.GCZMA/SAL/SRNA/12- 13/01/2349
dated 25/03/2022
2) Letter No. GCZMA/SAL/SERNA/12-12/01/2027 dated 06/12/0022
3) Demolition order No. SDO/SAL/DEMO/2023/06 dated 06/2/2023

Madam,

With reference to the above cited subject, it is to inform you that your good office vide letter No. GCZMA/SAL/SERNA/12-12/01/2027 dated 06/12/0022 (copy enclosed) requested this office to execute demoliton order No.GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 .

Accordingly, this office had issued demolition order bearing No. SDO/SAL/ DEMO/2023/38 dated 25/04/2023 , which was fixed on 04/05/2023 in oder to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa carried out by Mr. Armando Cardozo (since deceased through LRr's) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai. (copy enclosed)

However, the Mamlatdar of Salcete vide letter No. MAM/SAL/DEMOLITION/2023/1914 dated 04/05/2023 reported that the demolition of the said structures was not carried out as it was informed by the office of the Executive Engineer, WD-VI(Roads), PWD, Fatorda that they do not process the requisite machinery to carry out the demolition of the said structures. Hence, the above referred demolition order could not be executed. (copy enclosed)

This is for kind information.

Yours faithfully,

ok

(Ravishekhar G. Nipanikar)
Dy. Collector & SDM-II, Salcete
Holding Additional charge of
Deputy Collector & SDO
Salcete, Margao Goa.

Encl: as above

Copy: 1. The Collector, South Goa District, Margao Goa.
2. Mr. Suvarn R. Bandekar, Suvarn Bandekar Building, P.O.Box.11, Vasco Da Gama, Goa.

Recd
25/5/23

CONFIDENTIAL

No. SDO/SAL/DEMO/2023/116
Office of the Deputy Collector &
In-charge Demolition Squad,
Sub Division, Margao – Goa.

- Ref: 1) Order No. SDO/SAL/DEMO/2023/06 dated 06/02/2023
2) Order No. SDO/SAL/DEMO/2023/19 dated 29/03/2023
3) Order No. SDO/SAL/DEMO/2023/38 dated 25/04/2023

O R D E R

WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa vide order No. GCZMA/SAL/SERNA/12-13/01/2349 dated 25/03/2022 issued direction to Mr. Armando Cardozo (since deceased through LRr's) (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai to demolish all the existing structures located in Sy. No. 16/7 of village Sernabatim, Salcete Goa and to restore the land to its original condition, within 30 days.

AND WHEREAS, the copy of said order is marked to the Dy. Collector & SDO, Salcete, to enforce the Order and to verify if the structures are removed /demolished and in the event it is not removed as per directives, than the Dy. Collector shall remove the said structures after the stipulated time of two weeks .

AND WHEREAS, this office had issued Memorandum dated 01/04/2022 to the Mamlatdar of Salcete, directing to ensure/verify that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai has demolished all the existing structures located in Sy. No. 16/7 of village Sernabatim Salcete Goa and have restored the land to its original condition.

AND WHEREAS, the Mamlatdar of Salcete vide letter No.MAM/SAL/AK/CRZ/ Demo/2022/2145 dated 28/06/2022 has informed that inquiry was conducted through the Talathi of Colva village and it is revealed that Mr. Armando Cardozo (since deceased through LR's (a) Mrs Leticia Cardozo (b) Mr. Jovek Cardozo (c) Ms. Maria Sunifer Cardozo (d) Ms. Maria Sweta Cardozo (e) Mrs. Audrey Cardozo Fernandes (f) Mr. James Sebastiano Fernandes (g) Mr. Domnic Savio Pereira (h) Adv. Ashish Desai have not demolished all the existing structures located in the survey no. 16/7 of village Sernabatim and the land is not restored to its original condition.

AND WHEREAS, the Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa, vide letter No. GCZMA/SAL/SERNA/12-13/01/2027 dated 06/12/2022 has informed that demolition order dated 25/03/2022 which was passed by their office was challenged in an Appeal by the Respondent violators in Appeal bearing No. 16/2022 before Hon'ble National Green Tribunal, Pune vide judgment/order dated 21/10/2022 thereby dismissing the said appeal. Further informed that the Respondent violators challenged the said judgment/order dated 21/10/2022 passed by Hon'ble National Green Tribunal, Pune in Appeal bearing no. 16/2022 before the Hon'ble Supreme Court in Civil Appeal no. 8563/2022. The Hon'ble Supreme Court of India vide order dated 25/11/2022 was pleased to dismiss the said Civil Appeal no. 8563/2022 and requested to implement/execute the demolition order dated 25/03/2022 issued by their office.

AND WHEREAS, the Mamlatdar of Salcete vide Memorandum No.SDO/SAL/CRZ/DEMO/14534/2022/7943-I dated 14/12/2022 directed to conduct the joint site inspection alongwith official of GCZMA and the Executive Engineer, WD-VI, PWD., Fatorda, Margao to assess the machinery and manpower required to demolish the structures in Sy.No.16/7 of village Sernabatim and to submit the report.

AND WHEREAS, the Executive Engineer, WD-VI, PWD., Fatorda, Margao vide letter No.PWD/WDVI/ASW/F-140/584/2022-23 dated 03/01/2023 reported that inspection was carried alongwith representative of GCZMA and Mamlatdar of Salcete on 29/12/2022 from 11.00 a.m. onward and the said structure were identified by representative by GCZMA and the, Executive Engineer, WD-VI, PWD., Fatorda, Margao reported that structure to be demolished were G+1, G+2 and other structures. Such demolition required specialized demolition agency and methodology. Therefore, GCZMA to appoint consultant to ascertain the method & machinery required for demolition based on which estimate can be framed and tendered only after deposition of funds required for execution of work. Further, the date of demolition may be decided only after the work is tendered and contractor is in place.

AND WHEREAS, the demolition Squad was granted by this office vide Order No: SDO/SAL/DEMO/2023/06 dated 06/02/2023 which was fixed on 15/02/2023

AND WHEREAS, vide letter No. MAM/SAL/DEMOLITION/2023/839 dated 15/02/2023, the Mamlatdar of Salcete has reported that the demolition of the said structures was not carried out as, only the personnel from Electricity department and representative of GCZMA were present for demolition and Police personnel the Executive Engineer, WD-VI, PWD., Fatorda, Margao, failed to report to carry out the demolition of said structures.

AND WHEREAS, the complainant had filed Execution Application No.05/2023 filed in the Hon'ble National Green Tribunal, Western Zone Bench, Pune and Hon'ble National Green Tribunal, Pune has issued Notice to this office and matter was posted for hearing on 08/05/2023.

AND WHEREAS, the demolition Squad was once again second time granted by this office vide Order No.SDO/SAL/DEMO/2023/19 dated 29/03/2023 which was fixed on 17/4/2023.

AND WHEREAS, the Executive Engineer, WD-VI, PWD., Fatorda, Margao, did not reported at the site. Therefore, demolition could not be carried out.

AND WHEREAS, the demolition Squad was once again third time granted by this office vide Order No.SDO/SAL/DEMO/2023/38 dated 25/04/2023 which was fixed on 04/05/2023.

AND WHEREAS, the Mamlatdar of Salcete vide letter No. MAM/SAL/DEMOLITION/2023/1914 dated 04/05/2023, reported that the demolition could not be carried out as the Executive Engineer, WD-VI, PWD., Fatorda, Margao did not reported at the site.

AND WHEREAS, the Executive Engineer, WD-VI, PWD., Fatorda, Margao vide letter No.PWD-WD-VI/ADM/F.69/23-24/447 dated 29/05/2023 informed that structures to be demolished are G+1, G+2 and other structures which require specialized machinery & manpower. Further informed that they have prepared estimate amounting Rs. 42,45,205/- has been submitted for sanction by the Government and requested to differ the demolition.

AND WHEREAS, in Execution Application No.05/2023(WZ) in Appeal No.16/2022 (WZ), the matter is posted for hearing on 30/10/2023 before NGT, Pune.

Therefore, I, **Uday R. Prabhu Dessai**, Sub Divisional Magistrate /In-charge of Demolition Squad, South Goa hereby once again fourth time grant the Demolition squad on **12/09/2023 at 9.30 a.m.** onwards and order the following Authorities/Agencies as under:

The **Dy. Superintendent of Police, S.D.P.O. Margao, Goa**, to make necessary arrangements to depute 10 Police Constables and 5 Female Constables alongwith one Officer of P.I. rank, 2 PSI since there is likelihood of law and order problem. They may be directed to report at the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim at 9.30 am** on the above mentioned date, in order to proceed to the site.

The **Mamlatdar of Salcete** is directed to remain present at site on the above mentioned date & time, to co-ordinate with all the authorities/agencies till the completion of the demolition. The Mamlatdar of Salcete is directed to draw the minutes of demolition with the names & signature of the authorities present and to submit the compliance report immediately on completion of demolition.

The **Joint Mamlatdar-VI of Salcete** to remain present and to perform the duties of the Executive Magistrate and to take care of law and order problem on the above mentioned date and time.

The **Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa** shall be responsible for identifying the structures to be demolished/removed. The **Member Secretary, Goa Coastal Zone Management Authority, Panaji** shall further ensure that demolition of any structures which is stayed by order of any competent court shall not be carried out. The **Member Secretary, Goa Coastal Zone Management Authority, Panaji** shall depute his representative to identify the structures to be demolished on the day of demolition. The deputed representative shall be directed to report to the Executive Magistrate/Mamlatdar of Salcete at **9.30a.m.** on the above mentioned date to proceed to the demolition site.

The **Executive Engineer, Works Division VI (Roads) PWD, Fatorda, Margao** to provide 20 Labourers, 2 JCB, 2 trucks, poclain, tools and required machinery on the above scheduled date and time for the purpose of demolition and they shall be directed to report to the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 12/09/2023 at 9.30 am** in order to proceed to the site for demolition.

The **Executive Engineer, Works Division VI (Roads) PWD, Fatorda, Margao** shall identify the debris dump site along the highway road and transport debris of the demolition to the identified dumping sites and restore the land to its original state and report compliance.

The **Assistant Engineer, Sub Div-I, WD XVI, Benaulim Office, Electricity Department, Aquem Margao** to provide the services of two electricians along with one linemen on the above date and time for disconnection of electricity supply and direct him to report to the **Office of Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 12/09/2023 at 9.30a.m.** in order to proceed to the site for demolition.

The **Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa** to provide the services of two Plumbers on the above date and time for disconnection of water supply and direct them to report to the **Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim on 12/09/2023 at 9.30a.m.** in order to proceed to the site for demolition.

The **Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim** is directed to remain present to assist the demolition Squad till the demolition process is over on the above date and time.

If demolition is not completed within a day, the demolition shall continue on next subsequent day. The authorities/agencies should co-ordinate among themselves and complete the demolition.

Given under my hand and Seal of this Office on this **29th day of August, 2023.**



(Uday R. Prabhu Dessai)

Deputy Collector & In-charge Demolition Squad, Sub Division, Margao - Goa.

To,

1. The Member Secretary, Goa Coastal Zone Management Authority, C/o Department of Environment and Climate change, (Govt. of Goa), 4th floor, Dempo Towers, Patto, Panaji Goa
2. The Dy. Superintendent of Police, S.D.P.O. Margao, Goa.
3. The Mamlatdar of Salcete, Margao, Goa.
4. The Joint Mamlatdar- VI of Salcete.
5. The Executive Engineer, Works Division VI(Roads) PWD, Fatorda, Margao, Goa.
6. The Assistant Engineer, Sub Div- I, W D XVI, Benaulim Office, Electricity Department, Aquem Margao
7. The Executive Engineer WD-IX(PHE), PWD, Fatorda, Margao Goa.
8. The Police Inspector, Colva Police Station.
9. The Secretary, Village Panchayat of Sernabatim, Vanelim, Colva and Gandaulim, Salcete Goa.

Copy Submitted to favor of information to:

1. O.S.D to CM, Secretariat Porvorim Goa.
2. The Collector, South Goa District, Margao.

457
6/9/23

OFFICE OF THE DY. COLLECTOR	
SDO/SDM-I, Salcete, Margao-Goa	
Inward No.	7092/M
Date:	06/09/2023

06/09

Rupa

No.PWD/WDVI/F. 69 /2023-24/ 886
 Government of Goa,
 Office of the Executive Engineer,
 W.D.VI, P.W.D,
 Fatorda, Margao - Goa.

Dated:-06/09/2023.

To,
 The Deputy Collector (SDO),
 Demolition Squad Incharge,
 Mathany Saldhana Complex,
 Margao-Goa.

Ref Demolition Order No:- SDO/SAL/SEMO/2023/116 dtd 29/08/2023.

Sir,

With reference to above order it is to mention that this office was providing demolition squad for minor structures consisting of JCB, Trucks and labourers. However multi storied structures are not possible to be demolished by JCB and requires specialized equipments like poclains and cutters.

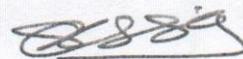
At present this office does not have the demolition squad. However, estimate amounting to Rs. 42,45,205/- is submitted to the Government for Administrative Approval. In case of urgency you are requested to direct the GCZMA to deposit the amount of Rs. 68,300/- per day with the Executive Engineer for the period required.

This demolition squad shall consist of providing 2 JCB's, 2 Tipper Trucks and 20 labourers only. Any other machineries/tools required for the demolition shall have to be arranged separately by the GCZMA.

The demolition squad hired by this office is from private agencies and therefore the period of hiring has to be specified. The GCZMA may be directed to reassess the requirement of demolition squad and also specify the required period considering the methodology of demolition proposed to be undertaken by them.

You are therefore requested to take note of the above and defer further demolitions till the tendering process is over and work is awarded to the Contractor.

Yours Faithfully



Executive Engineer-VI

- Copy to:-
1. Collector South Goa... for information.
 2. OSD to PWD Minister.... for information.
 3. CE(NH, R&B), PWD.... For information.
 4. SE-IV, PWD.... For information.
 5. Member Secretary GCZMA..... for information.
 6. AE-IV....for information.